

AO 91 (Rev. 11/11) Criminal Complaint

Agent:

AUSA: Susan Fairchild

Brett Laug

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UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Emad Mohammed TAMI,

Case: 2:23-mj-30494

Assigned To : Unassigned

Case No.

Assign. Date : 12/18/2023

CMP: USA v TAMI (MAW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 11, 2023 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Title 18, United States Code, Section 922(g)(5),
924(a)(8).

Offense Description

Alien in Possession of a Firearm/Ammunition

This criminal complaint is based on these facts:

On or about December 11, 2023, in the Eastern District of Michigan, Southern Division, Emad Mohammed TAMI, a citizen and national of Saudi Arabia, knowing that he was an alien illegally and unlawfully in the United States, did knowingly possess a firearm and ammunition, that is one loaded FNH 9mm firearm, serial number CSU0038735, and 13 rounds of 9mm ammunition, which had been shipped and transported in interstate or foreign commerce, in violation of Title 18, USC 922(g)(5) and 924(a)(8).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: December 18, 2023

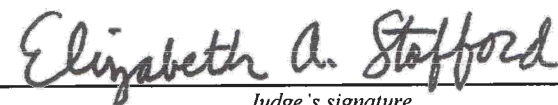
City and state: Detroit, MI



Complainant's signature

Brett Laug, Agent, Border Patrol

Printed name and title



Judge's signature

Elizabeth Stafford, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Brett A. Laug, declare the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Border Patrol Agents and record checks of law enforcement databases. I have also reviewed the immigration file and system automated data relating to Emad Mohammed TAMI, which attests to the following:
2. TAMI is a 28-year-old male, native and citizen of Saudi Arabia, who was admitted to United States at Chicago, Illinois, on August 19, 2016, with an F-1 Student Visa under the Student and Exchange Visitor Program (SEVP).
3. Currently, TAMI is out of status with the SEVP program for failure to maintain enrollment at the University of Toledo.
4. On October 23, 2020, TAMI was charged with driving with temporary permit curfew/expired plates - Contempt of Court and has a pending warrant in the State of Ohio.
5. On December 11, 2023, TAMI was arrested in Gibraltar, Michigan by the Gibraltar Police Department, and charged with a felony weapons offense. This case is pending.
6. On December 11, 2023, at approximately 1:01AM, a Border Patrol Agent (BPA) assisted Gibraltar Police Department with the identification of a subject on a vehicle stop at West Jefferson Avenue and Gibraltar Road. The subject in the vehicle was identified as Emad Mohammed TAMI. Record checks revealed that TAMI was illegally present in the United States because he was not in compliance with the terms of his F-1 student visa.
7. Agents subsequently arrested TAMI and transported him to the Gibraltar Border Patrol Station for processing. Shortly after arriving at the station, Agents received a follow-up call from Gibraltar PD asking for additional assistance with the vehicle that TAMI was driving. A Border Patrol Agent arrived on scene, and an Officer with Gibraltar PD informed the Agent that while doing an inventory search of the vehicle, he found a loaded FNH 9mm pistol, 1 black pistol magazine (15 round capacity), 13 rounds of 9mm

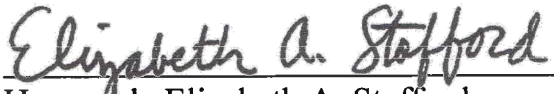
- ammunition, a baggie of marijuana and a black container containing 2 pills in the front seat of the vehicle, and a blue scale in trunk of the vehicle. The Gibraltar Officer said that they intended to pursue state charges related to the firearms possession. Gibraltar PD reassumed custody of TAMI and transported him back to the Gibraltar Police Department.
8. On December 11, 2023, at approximately 4:00AM, Agents from the Gibraltar Border Patrol Station delivered an I-247A detainer to Gibraltar Police Department. At approximately 9:00AM Agents from the Gibraltar Border Patrol Station reassumed custody of TAMI and transported him back to the station for further processing.
 9. While at the Gibraltar Border Patrol Station, TAMI's fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Next Generation Identification (NGI). The results revealed that TAMI is a citizen of Saudia Arabia. The record checks indicated that TAMI legally entered the United States as a F-1 Student Visa under the SEVP Program, however he failed to maintain status associated with his visa.
 10. On December 18, 2023, I verbally provided Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent Joshua McLean (Detroit Field Office) with the Make, Model, and Type of firearm (Black FN Handgun, Model: FNS-9C, 9 mm) found in TAMI's vehicle. Agent McLean verbally stated that this item is a "firearm" as defined in Title 18 United States Code, Chapter 44 Section 921(a)(3) and was not manufactured in the State of Michigan.
 11. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
 12. Based on the above information, there is probable cause to believe that on or about December 11, 2023, in the Eastern District of Michigan, Southern Division, Emad Mohammed TAMI, knowing that he was an alien illegally and unlawfully in the United States, did knowingly possess a firearm and ammunition, that is one FNH 9mm firearm, Serial Number CSU0038735, one black pistol magazine (15 round capacity) and thirteen rounds of 9mm

ammunition, said firearm having been shipped and transported in interstate or foreign commerce, in violation of Title 18, United States Code, Sections 922(g)(5), 924(a)(8).



Brett A. Laug, Border Patrol Agent
U.S. Department of Homeland Security

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Elizabeth A. Stafford
United States Magistrate Judge